

## **MINUTES OF THE HOWARD COUNTY PLANNING BOARD – DECEMBER 3, 2009**

Members Present: Linda Dombrowski, Chair; Dave Grabowski, Vice-Chair; Tammy CitaraManis; Paul Yelder

Members Absent: None

DPZ Staff Present: Marsha McLaughlin; Laura Boone, Susan Overstreet, Lindsay DeMarzo, Bob Lalush, Kent Sheubrooks

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Ms. Dombrowski opened the public hearing at approximately 7:00 p.m.

### **PUBLIC MEETING**

#### **ZB 1080 HIGH'S OF BALTIMORE**

Presented By: Bob Lalush

Petition: To apply Business Rural (BR) district to property currently zoned Rural Conservation (RC). East of Livestock Road approximately 155' southwest of the intersection with MD 32.

DPZ Recommendation: Denial

Petitioner's Representative: Mr. William Erskine,

Mr. Lalush gave an overview of the request to change the parcel from RC-DEO to BR zoning.

Mr. Erskine presented his case explaining the company's need to relocate, as well as addressing traffic and agricultural concerns.

Ms. Brianna Darnell, Director of Real Estate for High's of Baltimore, spoke describing the proposed business, building aesthetics and lighting.

Ms. CitaraManis asked Mr. Erskine for details on a proposed fruit stand. He answered that it would likely be a permanent, seasonal stand not operated by the High's company.

Ms. Dombrowski asked Ms. McLaughlin for a formal statement on staff's change in recommendation from denial to approval. Ms. McLaughlin stated that the reason for the staff's recommendation change was because during the long time between when the staff report was written and the actual meeting, there have been many discussions concerning safety, the fact that the relocation is not voluntary and that that business has been serving the community for many years.

**Motion:** Mr. Grabowski motioned to support the petition as updated, revised and presented by the petitioner on December 3, 2009. Ms. CitaraManis seconded the motion.

**Discussion:** All four Board members gave reasons as to why they believed this parcel would be ideal for BR zoning and the intended business.

Ms. Dombrowski asked that DPZ acknowledge their change of position and rationale along with SHA's support be included in the recommendation.

#### **Vote:**

4 Yea.

0 Nay.

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## ZRA 118 MDG COMPANIES

Presented By: Bob Lalush  
Petition: To amend Section 127.2 to increase the flexibility of uses within this zone in the Route 1 Corridor, etc.  
DPZ Recommendation: Approval with revisions  
Petitioner's Representative: Patrick McCuan, MDG Companies

Mr. Lalush gave an overview of the six proposed revisions by the petitioner and DPZ's recommendations.

Ms. CitaraManis and Ms. Dombrowski asked if it would be appropriate to make these changes during comprehensive zoning. Mr. Lalush answered that being that CE is a new zoning, it is likely to need to be tweaked and should be done now considering that there is yet to be a project in the CE zoning.

Mr. Patrick McCuan, CEO, MDG Companies, presented his case by asking for withdrawal of proposed amendments one, four and five. He also asked that the Board pass amendments two, three and six as recommended by DPZ. Mr. McCuan also noted that the county is looking to build a Fire Department close by and MDG has been working with the County, selling part of their property to help this happen.

The Board and Mr. McCuan discussed proposed amendments two, three and six to finalize recommended wording.

**Discussion:** Mr. Grabowski stated that he supports all the proposed changes, but wants to ensure that the community is aware of the proposal and the council hearing. He also reiterated that there has yet to be a project in the CE zoning district. Mr. Yelder's agreed but was also concerned with changing a zoning to conform to a certain project. Ms. CitaraManis felt that this petition found a great balance with an overall benefit to the county and corridor, stating that she wouldn't have accepted it as originally proposed. Ms. Dombroski agreed with comments and concerns rose by other Board members and noted that the CE zoning as a whole needs to be evaluated.

**Motion:** Ms. CitaraManis motioned to approve the amended petition proposal including withdrawal of amendments one, four and five with modifications to two, three and six. Mr. Grabowski seconded the motion.

### **Vote:**

4 Yea.

0 Nay.

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## **PUBLIC HEARING**

### **PB 387 Rodger's Property (SP-09-006)**

Presented By: Kent Sheubrooks  
Petition: For approval of a Preliminary Equivalent Sketch Plan, for the subdivision of 68 residential lots comprised of 25 single family detached lots & 43 single family attached lots, 9 open space lots & 2 common open area lots on a property zoned R-ED (Residential- Environmental Development) and R-A-15 (Residential-Apartments) in accordance with Section 107.E of the Howard County Zoning Regulations.  
DPZ Recommendation: Approval  
Petitioner's Representative:

Continued from November 19, 2009. Hearing was opened at 9:36 p.m.

Ms. Susan Rura asked the petitioner questions regarding retaining walls, density and wetlands.

Mr. Frank Rura asked the petitioner questions regarding density.

Ms. Susan Rura gave testimony in opposition to the proposed plan, stating it would be too densely populated, and is not suitable to the neighborhood.

Mr. Frank Rura gave testimony in opposition to the proposed plan, stating concerns of density and criminal activity.

Mr. Charlie O'Donovan spoke on behalf of the petitioner, stating that only 35% of the site is being impacted which is much better than requirements. He also noted that the plan was designed to avoid wetlands, preserve open space and prevent impact to steep slopes, floodplains and specimen trees.

The Hearing was concluded at 10:17 pm.

**Discussion:** Mr. Grabowski stated that the petitioner exceeded the criteria that were being evaluated. Mr. Yelder Ms. CitaraManis and Ms. Dombrowski all agreed.

**Motion:** Mr. Grabowski made a motion to approve the case as according to the Technical Staff Report

**Vote:**

4 Yea.

0 Nay. The motion was carried

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General Plan Amendment – Water Resources Element

Presented By:	Susan Overstreet
Petition:	Amending the 2000 General Plan as required by House Bill 1141 Land Use—Local Government Planning; adding Policies and Actions intended to ensure the County has a safe and adequate supply of drinking water, and adequate land and water capacity for the treatment of wastewater and storm water.
DPZ Recommendation:	Approval
Petitioner's Representative:	

Ms. Dombrowski opened the public hearing and 10:25 pm.

**Motion:** Ms. CitaraManis motioned to carry the hearing over to the following meeting, December 10<sup>th</sup>, 2009. Mr. Grabowski seconded the motion.

**Discussion:**

**Vote:**

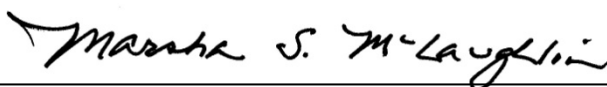
4 Yea.

0 Nay. The motion was carried

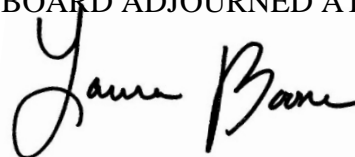
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THERE BEING NO FURTHER BUSINESS, THE PLANNING BOARD ADJOURNED AT APPROXIMATELY 10:45 P.M.



Marsha McLaughlin  
Executive Secretary



Laura Boone  
Recording Secretary